

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

2025:PHHC:121960



207

CRM-M-21034-2025 (O&M)

Date of Decision: 08.09.2025.

Jarnail Singh

...Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

SUKHVINDER KAUR, J. (Oral)

Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.29 dated 06.04.2025 under Section 15(b) of the NDPS Act and Section 61 of The Punjab Excise Act, registered at Police Station Sarai Amant Khan, District Tarn Taran.

Brief facts of this case are that on 06.04.2025, on receiving secret information, the police party conducted raid at the house of the petitioner, from where three persons, namely, Mangal Singh, Manjinder Singh, Nirvail Singh were apprehended. The said persons disclosed that the petitioner had planted poppy plants in front of his house without any licence. The plants were counted to be 67 and the weight of the plants was found to be 10 kg and 400 grams. During inspection of the house of the petitioner one silver pan having 40 Kg of Lahan, one can plastic having 20 kg of Lahan and one bucket having 20 kg of Lahan, in total 80 kg Lahan were recovered. Accordingly, FIR in question was registered.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. Nothing had been recovered from the petitioner. At the time of the alleged recovery of poppy plants and Lahan, the petitioner was not present at his house. The aforesaid alleged recovery of poppy plants would fall under the non-commercial quantity. In support of his contentions, learned counsel for the petitioner has relied upon the judgment of this Court in **Jaswant @ Jassa Vs. State of Haryana** in CRM-M-17910-2020 decided on 24.07.2020 and **Harwinder Singh @ Binder Vs. State of Punjab** in CRM-M-33168-2024 decided on 02.08.2024. He further submits that the petitioner is ready and willing to join the investigation and the present petition be allowed.

Notice was issued in this case on 29.04.2025 and status report was called from the State, which was filed in the Court on 22.05.2025 and the same is taken on record.

Per contra, learned State counsel has opposed the petition while contending that the petitioner is involved in serious offence falling under NDPS and as such he is not entitled to the concession of anticipatory bail.

Heard.

There are specific allegations against the petitioner that the recovery of poppy plants weighing 10 Kg 400 grams, along with one silver pan containing 40 Kg Lahan, one can plastic containing 20 kg Lahan and one bucket containing 20 kg Lahan, in total 80 kg lahan, was effected from the house of the petitioner.

The case law cited by learned counsel for the petitioner is of no help to the petitioner presently, as aforesaid case law is pertaining to the regular bail matters, whereas the present petition is for anticipatory bail.

So, keeping in view the facts and circumstances in the present case and to conduct the investigation in fair and effective manner, for taking it to its logical end, the petitioner does not deserve the concession of anticipatory bail.

Accordingly, the present petition stands dismissed. However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

08.09.2025.

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	Whether reportable?	:	Yes/ No